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October 19, 2010

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE, Room 1-A
Washington, DC 20426

VIA E-FILING

Re: Nenana OCGen™ River TGU Power Project (P-13233-000)

Dear Ms. Bose:

ORPC Alaska, LLC (ORPC) has been performing site characterization field work and feasibility studies at a site on the Tanana River under Preliminary Permit No. 13233-000 since being granted the permit on October 21, 2008. This work performed, in cooperation with the Alaska Hydrokinetic Energy Research Center (AHERC), has been undertaken in part to support the formulation of a Draft Pilot License Application. In light of the results of these studies ORPC has concluded that the optimal location for initial deployment lies just outside of the Preliminary Permit area. The timeline for the completion of the detailed studies that will inform the Project design necessary for the Draft License Application has also proven to require more time than the initial two years that had been estimated for this task.

In order to have the time necessary to complete the field work and feasibility studies and to include the new area of interest within a preliminary permit boundary ORPC Alaska has decided to surrender Preliminary Permit No. 13233 as stated in the enclosed Petition to Surrender Preliminary Permit. ORPC will be filing a new Preliminary Permit Application with a new boundary that is inclusive of the new location for initial deployment following the surrender of the current permit.

Very truly yours,

Herbert Scribner
Director, Environmental Affairs

HS/MM/jph
Attachments

cc: FERC Service List
M. McCann, HDR|DTA
File



BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

NENANA OCGENTTM RIVER TGU POWER PROJECT (P-13233-000)
PETITION TO SURRENDER PRELIMINARY PERMIT

ORPC Alaska, LLC. files this Petition to Surrender Preliminary Permit for Project P-13233-000 pursuant to 18 CFR 4.84.

The Commission issued the Preliminary Permit for Project P-13233 on October 21, 2008 for a three-year period terminating on October 21, 2011. ORPC has been working in collaboration with AHERC to perform site characterization and environmental field work, modeling efforts, and studies to better understand the portion of the Tanana River within the preliminary permit boundary and to support a Draft Pilot License Application. The findings from site characterization field work and feasibility studies have led ORPC to shift the focus for initial deployment to a site just outside of the preliminary permit boundary. The movement of the proposed deployment area to this new portion of the river requires that some of the field work completed at the original area under investigation be repeated, while the field work in the original permit area has highlighted the need for additional studies to be undertaken in this area before a thorough Project design and Draft License Application can be completed.

Field work already completed at the site through ORPC's and AHERC's collaborative efforts includes:

- October 2008: Current velocity/discharge transects;
- Winter 2008 - 2009: under-ice current velocity;
- June - October 2009: Current velocity/discharge transects, sediment transport measurements, full-reach bathymetry and side-scan sonar (within preliminary permit 13233 area), current velocity/turbulence measurements;
- Winter 2009 - 2010: Fish population & behavior literature review, hydraulic modeling, frazil ice study, under-ice current velocity, under-ice sonar studies using Shallow Water Ice Profiler; and
- June - October 2010: Extended reach bathymetry (including entire preliminary permit 13233 area and new area of interest), current velocity/discharge transects in new area of interest, sediment transport, debris observational studies, and river bed morphology study.

Continued and additional field work will include:

- October 2010: Sub bottom profiling and characterization field work and analysis;
- December 2010: AHERC literature survey on riverine foundation systems and analysis of sub bottom data to inform ORPC engineering of RivGenTM bottom support frame;
- December 2010: AHERC literature survey of state of the art of debris diversion systems;
- June - September 2011: Study and data collection on debris distribution, frequency and characteristics in the Tanana River; and

October 19, 2010

PAGE 3 OF 4



- June – September 2011: Continued ADCP measurements of seasonal variations in current velocity and turbulence within Project area.

While ORPC remains interested in the area within Preliminary Permit 13233 for the deployment of devices under a Pilot License, ORPC would like to include the new area of interest in a preliminary permit boundary as well. Site characterization work has revealed this area to have advantages in terms of the energy resource and natural features of the site as well as being more logistically suited to facilitate early deployments as ORPC learns to operate in the challenging Tanana River environment. ORPC consulted with representatives of FERC on October 6, 2010 on how best to move forward with both changes to the schedule and the proposed change to the permit boundary. Based on these conversations ORPC has decided to surrender the existing permit and will reapply for a new permit that will include the new area of interest. This will not only allow ORPC to maintain priority for a License Application for the site but also allow ORPC adequate time to prepare a rigorous and complete Draft License Application for the Project.

Therefore, ORPC Alaska, LLC. respectfully requests that the Federal Energy Regulatory Commission approves the Surrender of the Preliminary Permit for Project P-13233-000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Herbert Scribner", is written over a light blue circular stamp.

Herbert Scribner
Director, Environmental Affairs
Ocean Renewable Power Company, LLC
120 Exchange Street
Portland, ME 04101
Phone (207) 727-7707

October 19, 2010

PAGE 4 OF 4



CERTIFICATE OF SERVICE

I hereby certify that I will, within the timeframe and means established in 18 § C.F.R. 385.2010, serve the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

DATED this 19th day of October, 2010.

A handwritten signature in black ink, appearing to read "Herbert Scribner", is written over a light blue horizontal line.

Herbert Scribner
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